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South Carolina House of Representatives

G. Johnson
Landrum

Legislative Update

David H. Wilkins, Speaker of the House

Vol. 13

April 9, 1996

No. 13

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WEEK IN REVIEW

HOUSE

concurrence in Senate amendments, to be ratified

S. 421 provides that a referendum to create a community recreation special tax district may be held during either a general election or a special election set by county council. The area to be annexed must be contiguous, and a petition signed by at least fifteen per cent of qualified voters in the area must be submitted first. Another provision authorizes districts to pledge collateral for projects, and to borrow money by means other than bonds. **H. 3106** provides that upon licensing, approval, or registration, a child day care facility must provide proof of conforming or approved non-conforming with local zoning ordinances. Conditions may be imposed on the facility consistent with local restrictions. **H. 3552** provides immunity from liability to roller skating rinks due to the inherent risk of the sport. The Senate amendment extends immunity to ice skating rinks as well. **H. 3848** requires that mortgage forms include the name and address of the mortgagor and of the mortgagee, as well as the book, page, and date of recording of the original mortgage. The Senate amendment provides that a toll free telephone number for the assignee may be provided if such a number is available. **H. 3897** repeals laws requiring a gigging license in Game Zone 11. **H. 4313** originally authorized the Citadel to increase the principal on outstanding bonds for housing and auxiliary facilities from \$25 to \$35 million dollars. The Senate amended the bill to include the "Higher Education Revenue Bond Act" which would establish provisions affecting borrowing by all higher education institutions, not just the Citadel. **H. 4544** provides that an photo copy of an original record by certain insurance entities must be considered an original record for all purposes, even legal. The Senate amendment includes the South Carolina Property and Casualty Insurance Guaranty Association and the South Carolina Health Insurance Pool in the list of insurance entities.

received third reading, to be ratified

S. 1041, known as the "Worker Reference Bill," grants employers immunity when providing work references for former employees. An absolute immunity would be granted for providing such objective information as hiring date and salary. Qualified immunity would be granted for providing such subjective information as work ethic and habits. Litigation could occur only in cases of knowingly false or reckless disclosure. **S. 1072** authorizes that no property tax would have to be paid by nonprofit housing corporations which provide rental or cooperative housing for elderly, handicapped, or low to moderate income families. This measure affects fifteen facilities in the state, and shifts about \$14,000 of local property taxes to other taxpayers.

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received third reading, amended, returned to Senate for concurrence

S. 614 extends the laws which affect gathering oysters to include clams as well. The bill provides that one-half bushel of clams may be gathered in one day. In addition, the measure revises requirements for critical areas designated as public shellfish grounds. The House amendment removes the requirement that the county legislative delegation designate approved public shellfish areas. It also prohibits the Department of Natural Resources from designating an area within 1,000 feet of a developable highland property as a public shellfish ground. **S. 846** provides for the issuance of state Olympic license tags. An estimated \$23,000 per thousand tags would be raised from the sale of these tags. That revenue would be distributed equally between the United States Olympic Committee and the South Carolina Special Olympics. The Senate had proposed that the South Carolina Amateur Sports Program receive half of the proceeds rather than the South Carolina Special Olympics. **S. 991** revises the "Omnibus Insurance Fraud and Reporting Act." Requested by the Insurance Fraud Division of the Attorney General's Office, the bill requires that all state agencies report any knowledge or suspicion of insurance fraud. The measure also establishes immunity from liability for such reports, and provides immunity to designated insurance employees, who while investigating fraud, share information with the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or other designated fraud investigators. **S. 1101** provides that members of voter registration boards, and election and registration commissions must complete training and be certified by the State Election Commission within eighteen months after election. The bill also changes appointment procedures for poll managers and clerks.

received third reading, sent to the Senate

H. 3182 requires counseling and written consent from next-of-kin before body parts may be removed to be used for organ or tissue donation. Otherwise body parts could be removed only to determine cause of death. **H. 3671** provides that sales tax must be paid by a resident of another state when buying a boat and motor in this state. **H. 4445** provides that contested cases under the Administrative Procedures Act shall be governed by procedural rules of the Administrative Law Judge Division. The standard of proof shall be the preponderance of evidence, except in professional licensing cases where the standard of proof shall be clear and convincing evidence. Among other provisions included in the measure is one which states that all cases shall be assigned by the Chief Judge, rather than only the contested cases. **H. 4518** provides for a referendum amending the State Constitution to allow investment in stocks: Currently state and local governments may invest only in fixed income securities, such as bonds and savings accounts. (Investment in the stock market was banned after severe losses during the last century.) While the State Retirement Fund and the State Police Officers Retirement System are currently solvent, both the State Treasurer and an independent actuarial report indicate that increasing membership will strain future pension expenditures. This joint resolution allows voters to determine whether state and local governments should broaden their portfolios to include stocks, which are traditionally more volatile and produce greater returns. **H. 4537** prohibits daycare centers from knowingly hiring a person who has been convicted of a violent or sex crime, as well as certain other offenses. Such an applicant would be guilty of a misdemeanor and subject to a fine of up to five thousand dollars (\$5,000), a sentence of not more than one year, or both. The bill also requires that applicants be

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fingerprinted to determine any criminal history. This provision includes anyone fifteen years old or older who lives in a family daycare setting. However, a grandfather clause excludes anyone who has been working continuously in a daycare since July 1, 1991 from having to be fingerprinted. This bill is similar to **S. 1286** which is in the House Judiciary Committee. **H. 4569** permits state employees paying the full actuarial costs to buy up to two years of service credits when returning within five years from maternity leave. It deletes the requirement that the employee return to work within two years. **H. 4614** enacts the Children's Code Reform Act of 1996. Its purpose is to refine and hasten the Foster Care process. The proposed legislation requires that a hearing to assure probable cause for removal from the home be held within seventy-two hours after a child is taken into custody, rather than the current ten days. That hearing could be conducted by videoconference or a telephone conference call if necessary. The measure tightens standards for removal from the home by requiring that the child be in "substantial" danger. It authorizes a caseworker to determine whether a child should be taken into custody rather than a law enforcement officer, and provides immunity for that decision as long as it is made in good faith. The bill delays taking the child into actual custody for twenty-four hours so that a preliminary investigation may be made by the Department of Social Services (DSS). A final report must be made within thirty days if the child is placed in DSS custody, or forty-five days when remaining in the home. Currently this report is required within sixty days. The measure requires a hearing to determine permanent placement after a child has been in foster care for a year. It also authorizes DSS to create a temporary crisis placement facility where parents may voluntarily place their children for up to seventy-two hours during a family crisis. **H. 4737** reauthorizes Educational Television (ETV), and revises qualifications for serving on the ETV Commission. The measure also establishes the Information Technology Advisory Council, and requires that Budget and Control Board approve requested information technology equipment. ETV would be required to implement a marketing plan, increase revenue generated at its regional stations, and open its daycare facilities to the public. In addition, the effectiveness of instructional television would be evaluated.

concurrent resolution adopted

S. 1185 memorializes Congress to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate development and approval of new drugs, biological products, and medical devices. This concurrent resolution has passed both chambers now. **H. 4792** sets Sunday, April 28, 1996 aside to honor South Carolinians who died because of workplace injuries or illnesses. The measure has been sent to the Senate for consideration.

received second reading

H. 4323 raises the maximum speed limit on interstate highways to seventy miles per hour, and sixty miles per hour on multilane divided highways. State highway engineers would be permitted to set speed limits higher than fifty-five miles per hour on some state highways. It provides for a forty-five mile per hour speed limit on unpaved roads, and a thirty mile per hour limit in an urban district. The proposed legislation also requires that vehicles pulling trailers travel ten miles per hour slower than the posted speed limit.

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veto sustained

H. 3589 directed the Department of Public Safety to study whether legally elevated motor vehicles are a safety hazard. The joint resolution required the Department report back to the General Assembly by January 1, 1996. Governor David Beasley vetoed the measure, citing the passage of that date, and representatives upheld the Governor's veto.

tabled

H. 4608 authorized a joint agency to contract with another joint agency in order to collect, transfer, and/or dispose of solid waste. The bill also provided that governing bodies contract with joint agencies for these services. It was tabled since the Senate version of the bill, S. 1140, has passed both chambers and is enrolled for ratification.

placed on the contested calendar

The following bills have been placed on the contested calendar for second reading. S. 517 affects benefits for state employees who have a break in service. Currently their annual leave is calculated on the number of years service, but limited to ten years. The measure deletes the ten year cap when the break in service is less than five years. If the break is greater, the ten year cap would apply still. H. 4498 prohibits trespassing on railroad tracks. Violators would be guilty of a misdemeanor punishable by a fine of not more than two hundred dollars (\$200) or a sentence of not more than thirty days. H. 4694, concerning the deregulated telecommunications market, is designed to ensure affordable universal service. H. 4774 provides an optional method of valuing Homeowner's Association Property for tax purposes. The measure amends the code to define such property, and requires that owners of real property or their agents make a written application to the county assessor to qualify for this provision.

conference committee appointed

Representatives Jake Knotts, Chip Limehouse, and Morgan Martin were appointed to the conference committee for H. 3300. That bill requires public notification of sex offenders living in the community. Currently these offenders are required to register with law enforcement officials, however, this list is not open to the public. The House refused to concur with a Senate amendment which would not require that the name of a person convicted of consensual sex with a minor be included on the list. Senators Glen McConnell, Luke Rankin, and Tyrone Courtney are the Senate conferees on that committee.

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SENATE

received third reading, to be ratified

H. 4523 approves regulations of the Health and Human Services Finance Commission. These regulations provide for the addition of a categorically needy Medicaid coverage group extending home care benefits to disabled children who would be eligible for Medicaid if in a medical institution. H. 4648 approves regulations of the Workers' Compensation Commission. These regulations clarify language, facilitate practice before the Commission, result in better recordkeeping, streamline procedures, and eliminate unnecessary procedures, as well as reduce paperwork. H. 4752 approves regulations of the Department of Social Services. These regulations govern standards for licensing facilities authorized to provide Supervised Independent Living Programs in residential facilities, group care, and child placing agencies. The revisions establish minimum program guidelines for two levels of independent living services provided to persons aged sixteen to twenty-one years old. H. 4790, known as the "Banking and Branching Efficiency Act of 1996," authorizes banks to keep their names when bought by out-of-state holding companies. H. 4822, which was recalled from the Senate Finance Committee last week, extends the due date for state income taxes to be paid by military personnel stationed in Bosnia. Under this joint resolution, payment would not be due until they return home.

received third reading, amended, returned to the House for concurrence

H. 3517 concerns court assessments and collecting fines in criminal cases, so as to provide that the money be deposited in the State General Fund. H. 4064, regarding manufactured housing, provides that construction standards apply to mobile homes as well. The measure requires that manufactured home contractors, installers, and repairers warrant their work for twelve months. It provides that a criminal violation is cause for denying a license to sell manufactured housing, and revises some license expiration dates, as well as fines for license violations. Another provision adds a tenth member to the "Manufactured Housing Board" who must be a licensed manufactured home contractor, installer, or repairer. H. 4335 establishes requirements and penalties for the importation of shellfish into the state.

received third reading, sent to the House

An outgrowth of the Confederate flag controversy, S. 947 would create an African-American History Monument Committee to determine the design and placement on the State House grounds of a marker to honor the achievements of African-Americans in the state. The Commission would be empowered to raise funds for this monument. It also would study the feasibility of establishing an African-American History Museum similar to the Confederate Relic Room. The study would be presented to the State House Committee by January 1, 1997. S. 1190 defers for a year repayment on a \$400,000 state loan to Spoleto, USA. The loan is to be repaid

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in three equal annual installments beginning June 30, 1997. The \$4.6 million dollar budget for this year's festival, which will be held May 24th through June 9th, is about \$150,000 more than anticipated. **S. 1269** provides the Secretary of State with discretion in determining whether to renew the license of a private personnel agency when the licensee fails to apply for license renewal on time. **S. 1272** requires that referendum questions and the sponsor's name must be on file with the State Election Commission the next working day after the petition is received.

S. 1278 revises the Commission on Prosecution Coordination to delete the executive director of the Criminal Justice Academy as a member, and adds the Director of the Department of Public Safety instead. **S. 1309**, a local bill, authorizes a referendum during the 1996 General Election to determine whether to prohibit video poker payoffs in Kershaw County. **S. 1315**, revising the South Carolina/Georgia border, changes the Lower Savannah River region, and provides that coordinates are based on North American Datum 1927. This bill is the Senate version of **H. 4859**, which was introduced in the House last week and assigned to the Judiciary Committee. **S. 1316** is a joint resolution approving the use of electronic records by the Department of Archives and History for record retention.

concurrent resolution adopted

H. 4821 sets the appeals court judicial election for noon Wednesday, April 10, 1996. This concurrent resolution now has been adopted by both chambers, as has **H. 4797** which sets elections of members of higher education trustee boards at the same time.

received second reading

S. 128 provides that driving with a suspended, revoked, or canceled license is a misdemeanor. The bill also decreases the sentence for a second offense from sixty days to thirty days, allowing cases to be heard in magistrate's court rather than circuit court. **S. 659** provides that hotels with liquor licenses may establish locked "hospitality cabinets" containing no more than thirty mini-bottles. **S. 1033** requires the Attorney General to establish a youth mentor program which combines church and community resources. Participation in this program may be ordered by the Family Court as a pretrial diversion option or as an alternative case disposition for nonviolent offenders. **S. 1079** provides for binding arbitration as an alternative dispute resolution for state employee grievances. The measure specifies which grievances may be mediated, and requires an employee to initiate a grievance within fourteen days of the effective date of the action, rather than the current twenty-one days. This bill is similar to **H. 4520** which was reported favorably by the House Judiciary Committee last week. **S. 1122**, concerning property tax, was recalled from the Senate Finance Committee. This joint resolution extends the deadline for applying for agricultural use valuation for the 1995 tax year until July 1, 1996. The fiscal impact of this action is uncertain. In response to a recent controversy, **S. 1327** prohibits the Governor from reappointing a current magistrate who fails to meet training or certification requirements to a new term or to fill an existing vacancy. **H. 3557** provides that a civic organization which is exempt from federal taxes does not have to file a registration statement with the Secretary of State under the Solicitation of Charitable Funds Act. The measure allows an organization to collect up to \$20,000, rather than the current \$5,000, without having to file a registration statement. It also provides that

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state and local governments do not have to file a registration statement. For organizations which are not exempt, a financial report covering the preceding fiscal year must be filed within four and one-half months of the close of the organization's fiscal year. Currently that report is due within two and one-half months. H. 3961 and H. 3962 are companion judicial reform measures. H. 3961, dealing with the judicial selection process, empowers the governor to appoint judges, including administrative law judges, rather than having them elected by the General Assembly as is done currently. The governor would appoint judges from a list of nominees submitted by the Judicial Merit Selection Commission, an independent nominating panel composed of legislators and members of the public designed to weed out weak candidates. A Senate amendment to the House bill details the composition, duties, and requirements of the Commission, which was expanded to thirteen members rather than eleven. The Senate plan does not limit the number of legislators on the Commission, while the House proposal sets that number at six. Both proposals provide for a public position on the Commission, and prohibit vote swapping. The Senate amendment also requires that former legislators wait at least one year before becoming judges, while the House-passed measure only required that sitting legislators resign when announcing their candidacies. The Senate measure provides for non-judicial screening and election, and requires that family court judges be at least thirty-two years old, rather than the current twenty-six years old, who have practiced law for at least ten years, rather than the current five years. A grandfather clause is provided for current family court judges who do not meet these provisions. H. 3962 provides for a voter referendum to determine whether nominees for the State Supreme Court, the Court of Appeals, and the Circuit Court must be at least thirty-two years old, not just twenty-six years old as is the current law, and must have practiced law for at least ten years, not just five years. A grandfather clause is provided for current judges who do not meet these provisions. Another question on the ballot would establish the South Carolina Judicial Merit Selection Commission. H. 4666 provides that the South Carolina Research Authority may be known as the "SCRA." It also authorizes the SCRA to form for-profit and not-for-profit corporations.

special order set

H. 3624 establishes the "South Carolina Environmental Audit and Disclosure Immunity Act of 1996." The measure seeks to increase voluntary compliance with environmental laws by providing confidentiality for disclosure and limited protection from penalties.

recalled

S. 1122 was recalled from the Senate Finance Committee last week, and received second reading. The joint resolution extends the deadline for applying for agricultural use valuation for tax year 1995 through July 1, 1996. Its fiscal impact is uncertain. H. 4822 extends the due date for state income taxes to be paid by military personnel stationed in Bosnia. Under the measure, payment would not be due until they return home. This joint resolution received third reading in the Senate. Since both chambers have adopted the measure, it has been enrolled for ratification.

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recommitted

S. 963 authorized the Citadel to increase the principal on outstanding bonds from \$25 to \$35 million dollars. The bill was recommitted to the Senate Finance Committee since a similar measure, **H. 4313**, already had received third reading in the Senate. An amendment to the House bill, however, provided for "The Higher Education Revenue Bond Act," which will impact borrowing by all higher education institutions. The House concurred with the amendment, and the bill has been enrolled for ratification.

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COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

While the full Agriculture, Natural Resources, and Environmental Affairs Committee did not meet last week, the Environmental Affairs 11 subcommittee reported favorably on three bills. S. 68 grants immunity from liability for a technical expert providing advice and assistance to a local government during a hazardous materials emergency. H. 4717 defines "structural fill" and restricts local governments from regulating solid waste facilities. Also, the measure authorizes the Department of Health and Environmental Control to issue permits for short term structural fills which operate less than twelve months. H. 4785 provides a uniform framework conforming the licensure and regulation of veterinarians in the state with provisions affecting other professional and occupational boards.

Subcommittee members also approved a regulation of the Department of Health and Environmental Control (DHEC). The regulation concerns the land application, or use, of non-hazardous solid waste for beneficial agricultural, silvicultural, and horticultural purposes--not as a means of disposal. It encourages and establishes criteria for the recycling of materials which historically have been disposed of in a landfill but may be used instead to produce crops or forest products, or on land being reclaimed to enhance its aesthetic value or to reduce environmental degradation.

EDUCATION AND PUBLIC WORKS

Last week, the full Education and Public Works Committee gave a favorable report to H. 4443, as amended, the Charter Schools Act. The legislation would allow the formation of schools within districts which are freed from certain statewide regulations, capable of employing unlicensed teaching personnel, and organized around specialized academic missions. The Committee also reported favorably on H. 3803, as amended, a bill which raises the ages at which driver's licenses and permits may be obtained. The bill raises from sixteen to seventeen the minimum age at which one may receive a driver's license. An individual who is at least fifteen years of age and who has passed all portions of the examination except the driving test may receive a twelve-month beginner's permit which allows driving during daylight hours under the supervision of someone at least twenty-one years old with at least one year of driving experience. A restricted driver's license may be issued to one who: is at least fifteen but no older than seventeen; has held a beginner's permit; and, has passed the road test and all other examination requirements. The restricted license allows unsupervised driving during the daylight hours and nighttime driving when accompanied by a licensed driver at least twenty-one years of age. H. 4447, a bill which, as introduced, would have eliminated the qualification allowing a child who owns property in a school district to attend school in that district was amended by the full Committee such that only children whose parents are South Carolina residents would be able to take advantage of the property ownership qualification. The amended version which the Committee reported out favorably prevents students from crossing over from neighboring states to attend public school in South Carolina by purchasing property in this state.

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JUDICIARY

Committee members reported favorably on five measures last week. **H. 4434** provides for reinstatement of a person's driver's license after a fourth driving under the influence (DUI) offense. To apply for reinstatement, a person must have had no violations for a period of five years immediately prior to filing the application. Persons convicted of felony DUI would not be eligible for reinstatement. Also, if a person has had his license permanently revoked after a fourth DUI offense and later was convicted of another DUI offense, he would not be eligible for reinstatement. **H. 4469**, known as the "South Carolina Effective Death Penalty Act of 1996," limits the appeals process and empowers the governor to set execution dates rather than the State Supreme Court. Deadlines would be set for filing post-conviction death penalty relief appeals. Prosecutors would have thirty days to answer an appeal rather than the current ninety days. Fifteen days later, a status conference would have to be held. A hearing would be scheduled forty-five days after the status conference. A judge's ruling would be required within thirty days of the hearing. **H. 4520** provides for binding arbitration as an alternative dispute resolution for state employee grievances. It also requires an employee to initiate a grievance within fourteen days of the effective date of the action, rather than the current twenty-one days. Reclassifications would not be considered a grievance unless initiated as a punitive measure; however, a demotion, salary decrease based on performance, and suspension may be considered grievances. **H. 4663** provides that the granting of bail is discretionary, but would continue to be prohibited for offenders serving death or life sentences, or serving a ten year or longer sentence. **H. 4811** is a joint resolution creating the Committee for Improved Race Relations. The measure requires the committee to submit recommendations to the General Assembly by May 13, 1996 to alleviate racial problems and tensions in the state.

LABOR, COMMERCE, AND INDUSTRY

The Banking and Consumer Affairs Subcommittee gave favorable reports to two bills. **H. 4650** establishes the Board of Towing and Recovery for the purpose of governing the state's towing and vehicle storage industry. **H. 4701** allows financial institutions to open new deposit accounts at public events or commercial locations (i.e. college campuses, trade shows, open air markets, etc.) so long as the sponsoring organization gives permission.

The Labor and Commerce Subcommittee recommended approval for **R. 1909**, a regulation promulgated by the Pilotage Commission for the Port of Charleston to add prerequisites for apprenticeship applications and repeal the age cap for pilots.

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MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Health and Environmental Affairs Subcommittee gave a favorable report to **H. 4649**, The Central Cancer Registry Act. Prompted by funding from the federal Center for Disease Control, the bill establishes a central cancer registry under the administration of the Department of Health and Environmental Control to compile statistics from all health care providers who diagnose and/or treat cancer and use this information to formulate a plan for cancer prevention, enhanced detection, and improved care.

The Social Services, Mental Health and Children's Affairs Subcommittee reported favorably on two bills. **H. 4277** brings South Carolina employment discrimination law into accordance with the standards of the federal Americans with Disabilities Act. The bill makes it unlawful for an employer to: (1) deny jobs or benefits to someone because of a disability, (2) refuse to make reasonable accommodations so that an otherwise qualified person with a disability may be employed, (3) use tests or examinations which are not job skill-related and tend to screen out disabled applicants. **S. 922** makes two changes with regard to the Division of Foster Care Review: (1) requires the division to make its annual report and recommendations to the Governor rather than the General Assembly, (2) removes the required twenty-one day maximum for a child caring agency to notify a local review board when disagreeing with the board's recommendation that a child be placed in the agency's permanent care.

WAYS AND MEANS

Committee members reported favorably on eight measures last week. **S. 699** increases the interest rate for the redemption of real property sold for delinquent taxes from eight to twelve per cent in the last six months of the redemption period. **H. 4557** enacts better control over Bingo operations in the state, while providing that Bingo winnings would not be subject to individual state income tax. Promoters will be limited to five licenses, with only one class of license. Manufacturers and distributors now will be licensed. **H. 4631** provides a tax exemption for non coin-operated laundry, dry-cleaning, dyeing and pressing services and sales. **H. 4706** enacts the "South Carolina Rural Development Act of 1996." The proposed legislation revises the Enterprize Zone Act passed last year and the Economic Development Cluster Act adopted earlier this year. The proposed legislation gives greater tax breaks to industries locating in least developed and underdeveloped counties, usually rural counties. Industries with major investments could negotiate with local governments for lower property taxes. They could pay three per cent rather than the current six per cent for a period of thirty years rather than twenty years as it now stands. **H. 4825** clarifies last session's gas tax bill. The bill provides that license taxes are in lieu of other taxes, and provides that the backup tax applies to alternative fuels as well. Another provision states that a license may be suspended or revoked for failure to comply with deferred payment. **H. 4833** updates the Procedures Act of 1995 to comply with current provisions. It makes the statute of limitations on gas tax consistent with other taxes, and clarifies provisions related to unclaimed property and jeopardy assessments. Time limitations for protest and filing periods are extended. **H. 4834** makes numerous revisions to state tax laws. The bill provides that income tax forms may be mailed first class rather than certified or registered mail. It authorizes alternative means for signing returns, and redefines liabilities of innocent spouses where the primary responsibility for

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the incurred tax rests with the other spouse. Another provision deletes the requirement of certified notification for revocation of licenses. **H. 4835** makes numerous revisions concerning property taxes. Among other provisions, the bill limits the four per cent residential assessment to only one residence, and requires the values of watercraft and aircraft to be reduced at least five per cent per year beginning after tax year 1996. It expands the term "boat" to include "watercraft," and changes the method of providing the tax exemption for watercraft from a fifteen dollar (\$15) tax bill to a fifty dollar (\$50) assessed value. The proposed legislation provides that reassessment programs are to occur on a five year cycle, and removes the requirement to value standing timber for purposes of rollback taxes. Also, it requires that taxes be paid prior to a delinquent sale rather than on the sale date.

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BILLS INTRODUCED

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

No bills were assigned to this committee last week.

EDUCATION AND PUBLIC WORKS

S. 1162 DEALER LICENSE PLATES Sen. Martin

This bill allows dealer license plates to be used on vehicles which the dealer lends to economic development personnel employed by the county.

H. 4869 LOCATION OF GRADES ONE THROUGH FIVE Rep. Cave

This bill provides that classrooms for grades one through five be located on the first or second floors of school buildings.

H. 4870 ALL TERRAIN VEHICLES Rep. Harvin

This bill allows four-wheel all terrain vehicles to be operated on the state's public highways only by those drivers who: (1) possess a driver permit or license, (2) successfully complete a course on all-terrain vehicle safety certified by the Department of Public Safety, (3) wear a helmet and other safety equipment which the department finds necessary.

H. 4875 PAGING DEVICES IN SCHOOLS Rep. Allison

This bill provides that unlawful paging devices confiscated at schools shall not be forfeited to school districts, but rather returned to owners at the end of the school term.

JUDICIARY

S. 1272 BALLOT POSTING Sen. Leventis

The measure requires that referendum questions and the sponsor's name be available for public inspection at the State Election Commission the next working day after the petition is received.

H. 4859 SAVANNAH RIVER BOUNDARY Rep. Wilkins

Revising the South Carolina/Georgia border, this bill establishes the boundary of the Lower Savannah River region. It also provides that coordinates are based on North American Datum 1927.

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H. 4860 DELINQUENT VEHICLE TAXES Rep. Kennedy

Under current law, a person's driver's license and vehicle registration may be suspended when property tax on a vehicle is delinquent. This measure provides that only vehicle registration may be suspended in these cases, not a driver's license.

H. 4868 PROTECTION FROM DOMESTIC ABUSE Rep. Harrison

The proposed legislation authorizes the issuance of an ex parte order for protection from domestic abuse under certain conditions. The ex parte order also may address alimony, child custody and support issues.

H. 4871 SECRETARY OF STATE Rep. Harrison

The measure abolishes the office of Secretary of State and transfers its powers to other constitutional offices and state agencies.

H. 4876 DISCLOSURE OF CANDIDATES Rep. Trotter

The bill requires that names of all candidates for selection as nominees of a political party must be disclosed to anyone who requests this information at any time during the filing period.

LABOR, COMMERCE, AND INDUSTRY

H. 4861 REAL ESTATE BOARDS Rep. Boan

This bill brings the licensure and regulation of real estate brokers, counselors, salesmen, appraisers, auctioneers, and property managers under a uniform framework for the organization and operation of professional and occupational boards.

H. 4864 UNEMPLOYMENT BENEFITS Rep. Lanford

This bill provides that no individual otherwise eligible for unemployment benefits shall be denied those benefits when leaving work voluntarily to accompany a spouse who has been transferred to a certain location, so long as the individual actively attempts to secure employment in the new area for a period of six months.

H. 4865 ESSENTIAL PROPERTY INSURANCE FOR COASTAL AREAS Rep. Cato

This bill allows any private insurer licensed to underwrite essential property insurance to use insurance premium rates of ninety percent, or less, of the rates then approved by the South Carolina Wind and Hail Underwriting Association for use in the state's coastal area.

H. 4877 PROFESSIONAL AND OCCUPATIONAL REGULATION Rep. Sharpe

This bill authorizes the Department of Labor, Licensing and Regulation to provide administrative regulation for occupations and professions, including advisory and disciplinary panels.

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MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S. 1295 CENTRAL CANCER REGISTRY ACT Sen. Wilson

This bill establishes the Central Cancer Registry within the Department of Health and Environmental Control to compile statistics from all health care providers who diagnose and/or treat cancer and use this information to formulate a plan for cancer prevention, enhanced detection, and improved care. Also, DHEC is authorized to provide aid to any cancer patient, not simply indigent patients.

WAYS AND MEANS

S. 1309 VIDEO POKER PAYOFFS Sen. Holland

Affecting only Kershaw County, this joint resolution authorizes a referendum during the 1996 General Election to determine whether to prohibit video poker payoffs.

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FOOTNOTE

The Legislative Update is now on-line! Members and staff who are on the network may access documents by pressing "List Files (F5)," then typing "H:\UPDATE" and pressing "enter." All of the Legislative Updates will be listed by week. Using up/down arrows, choose the Legislative Update which corresponds to the week you need and press "enter."

If you need or prefer to access the Legislative Update through the World Wide Web, visit the South Carolina General Assembly Home Page. Click on the "Quick-Find Guide" on the first page. On the next page, click on "Reports." This will list all of the Legislative Updates by week. Click on the week you need.

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